

MINUTES  
MUNCIE COMMON COUNCIL  
300 NORTH HIGH STREET  
MUNCIE, INDIANA 47305



**MONDAY, JANUARY 10, 2022**

**PUBLIC HEARING:** 6:30 P.M., 1<sup>st</sup> Floor City Hall Auditorium.

RES. 2-22 AUTHORIZING THE ENTRY BY THE CITY OF MUNCIE, INDIANA, INTO A BOT AGREEMENT AND RELATED DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS RELATED THERETO.

Greg Martz, GM Development in Springport, Indiana, states they have a presentation prepared. although technical difficulties are hindering them from presenting tonight they will be back before council at least one more time, most likely two more times, meaning there will be opportunity to present the same presentation at a later time. In providing some background, GM responded to a public request for proposal that the City put out in fall of 2020. The RFP was to look into potential Solar Projects for the City. One of the sites identified early on was the former Chevy factory site that he is sure everybody is familiar. They have spent a lot of time looking at that site and that site has a lot of history so part of what they were looking at was the environmental impact of the project. They ran many numbers on many different ways in which they could put a Solar Project on that site as well as running numbers on construction costs and potential revenues that the City could potentially retrieve. Therefore, reason they are here tonight is really just the beginning of the process (even though there has been a lot already) and to present initial findings that they have worked on for the past year. What they plan to be asking is for the Council to vote on is to (essentially) end this preliminary procurement process so they can start talking with financial advisors in addition to getting hard construction costs. Then come back at a future meeting so they can have all of the numbers nailed down as well the advice received from the Financial Advisor in regards to the appropriate next steps. Most likely, that would happen via ordinance so would happen over more than one meeting unless the Council chooses to suspend the rules. Martz states he will at least have to be in front of them one more time, likely two, if they do not suspend rules for the ordinance. He indicates they will be prepared for that. Martz states his colleague, Ryan Stout from Performance Services, will discuss some of his knowledge base behind the actual design and construction portion followed by Martz who will be back up to talk about some of the next steps.

Ryan Stout, Performance Services out of Indianapolis, is pleased that they have the opportunity here in front of the Council. Unfortunately, due to technical difficulties, they can't do a high level overview of what they were looking at. About a year ago, they started talking to the City about revitalizing an area, a piece of property that has become a boneyard more than anything for many people, around the City. Being from Muncie, he has a long history of growing up here and always like to see if they can bring some good and positive things to the City. He believes the Solar Project is a great start to what has already been happening and believes the Council has the presentation so he will just go through it really quick (although, hopefully, when they come back they will have the opportunity to present it). He looked at a couple different slides of what it looks like now. Again, many people know what it is. Being able to take that and showed in the next slide what the layout would be. They looked at many different (probably 4-5) iterations of what the best possible way to put solar on the site, being a brownfield and having a good ROI for the City. What they decided to come up with, because of all of the



environmental concerns was a ballasted system that will actually sit right on top of the existing concrete pads out there, so, they will not be digging or bringing up any environmental concerns with that. Even the conduits will be run above ground so everything will be above ground meaning they won't disturb any of the soil and bring in some other possible ramifications or increased costs of any soil that has to be removed, which is a very expensive manner. Stout continues explaining that further in the slideshow, it shows some 3D modeling of what Phase 1 looks like. It is a 6.5 megawatt site and looking at 5 megawatt AC, which is what they have worked extensively with AEP on to come up with a size to allow that which will also allow the City to have their return on investment that they are looking for. The Mayor was very concerned about revitalizing and not just putting in solar but also looking at what else can they do to beautify the site. A particular slide shows some ideas where they can cut a small little (not park but a sitting area) walking path. They will be upgrading the fencing and make sure it is brought up to good standard as it has been left to go to the weeds and trees. The plan is to really revitalize the area as well as what can be seen in the slideshow. There is an area, about the only place on the site that a lot of the rubble from the building and dirt was moved to, located the southwest corner so they'd like to go in with the trends of what they are doing here and put in a pollination field. All in all, they are really trying to bring in many aspects but keeping in mind that this is an investment of the City that they are looking for a return and doing it in a mindful manner.

Greg Martz returns to the podium and states this is the beginning of the process and are asking tonight to complete the first step by allowing them to speak with a Financial Advisor and to start drafting document the City Council Attorney can review. The third thing they would be able to do (if the Council voted to move forward tonight) would be getting construction numbers so that when they come back they have not just an estimate but actual hard construction costs. They will then share everything that they've been working on for the last year with the Financial Advisors so that all the information will be provided and appropriate advice can be given. Again, he knows that vote does not happen during this public hearing so will use the rest of their time now to answer any questions that the public make have or, in general, allow the public to make comment on what has been presented tonight.

William Hughes, Assistant City Attorney, recalls as earlier described, this is part of a process that really began early in this Administration with discussions between the owner of the former Chevrolet and Delco sites, the RACER Trusts, to see if the property could be acquired and what it could be used for. This Council adopted the State Statute BOT Act back in July of 2020 that authorizes them to bring forth this type of proposal. The proposal that GM Development Companies LLC came up with has been through a Review Committee, which a recommendation was made and then forwarded on to the Council. Going forward, there will be opportunity to review the actual purchase of the real estate by the Council as well as approving the actual language of the BOT Agreement, itself, and the financing piece. This is a step in the process that the Administration is very excited about in regards to bringing use of a property that (really) has few available uses to it. Additional work alongside the Council Attorney was done to tweak the resolution from what it originally was when submitted and some good improvements were made so it better reflects what is being asked of this evening. All in all, they appreciate the consideration.

Deputy Mayor Richard Ivy explains because this project has been in progress for 18 months, Mayor Ridenour asked that he share a physical copy of the timeline (since passing the original resolution 12-20) with the Council that was earlier provided to them via email. Also taking into consideration of the new councilmembers that joined the Council after the adoption of resolution 12-20. He anticipations that the timeline helps assist with the progress since June of 2020.

Kristopher Bilbrey questions when the land was purchased by the City of Muncie. Attorney Hughes indicates it has not been purchased yet. Bilbrey confirms and states he will save his questions for the regular meeting.

A motion was made by Ingram and seconded by Polk to adjourn the public hearing.

ADJOURNED.

**REGULAR MEETING:** 7:00 P.M., 1<sup>st</sup> Floor City Hall Auditorium.

**PLEDGE OF ALLEGIANCE:** Led by Marta Moody.

**INVOCATION:** Moment of Silence.

**CITIZEN RECOGNITION:** Councilman Ingram begins by thanking everyone for being here. There has been a little change in plans due to the fact that he was sick last month and was supposed to present, his choice for Citizen of the Month, Pastor Neil Kreing, who wasn't able to attend tonight but Jeanetta, his neighbor and good friend, is here to accept on his behalf. Pastor Kreing moved to Muncie from Speedway, Indiana in 1989 to attend Ball State and decided to make his life in our welcoming city after graduation. Pastor Kreing began his ministry work in 1993 at the campus ministry of Ball State and now works as a Community Development Organizer at Urban Light CDC which is an organization focusing on housing revitalization, addictions, recovery and neighborhood engagement. He has been married for 28 years and has 5 children. Like most of us, Pastor Kreing has hobbies that he loves such as biking, reading, hiking and exploring new cities as being a few of his. However, for the past 5 years he has been engaging with his neighbors in the Thomas Park Avondale Neighborhood and working the streets helping, counseling and encouraging individuals suffering from homelessness, addiction and mental health issues at all hours of the night. Pastor Kreing has also been working with the City, local law enforcement, EMS and local healthcare providers to bring a much needed 24-hour Crisis Intervention Center to Muncie and Delaware County. Ingram can continue on for another 20 minutes but instead, he will just say one thing about Pastor Kreing; Pastor Kreing gives to members of this community without any thought of return and to Ingram and many others, that is exactly the type of person who should be receiving this award. With that, it is his honor to present Pastor Neil Kreing with the Citizen of the Month award. On behalf of everyone on the Council, he explains they all appreciate all of the work he puts in for the community. President Robinson adds that Pastor Kreing is an unbelievable asset to our community. Next month, Councilman Green will be presenting the award.

<b>ROLL CALL:</b>	<b>PRESENT</b>	<b>ABSENT</b>
Aaron Clark	X	
Ro Selvey	X	
Troy Ingram	X	
Jeff Green	X	
Jeff Robinson	X	
Brandon Garrett	X (Via Zoom)*	
Brad Polk	X	
Jerry Dishman	X	
Anitra Davis	X	

**2022 REORGANIZATION:**

**LEGAL COUNSEL:** A nomination was made by Robinson and seconded by Ingram to appoint Delk McNally LLP. No further nominations. A roll call vote showed 9 yeas and 0 nays. MOTION CARRIED. Dan Gibson with Delk McNally LLP is retained as Legal Counsel.

Robinson comments that Mr. Gibson has been an unbelievable asset to this Council and they appreciate all his hard work as his professionalism is unparalleled and they don't know what they would do without him. The entire Council thanks him for what he does.

**PRESIDENT:** A nomination was made by Davis and seconded by Dishman to appoint Jeff Robinson as President. A nomination was made by Green and seconded by Selvey to appoint Aaron Clark as President. No further nominations. A roll call vote showed 5 votes for Robinson (Garrett, Dishman, Davis, Ingram and Robinson) and 4 votes for Clark (Selvey, Green, Polk and Clark). Davis' MOTION CARRIED. Robinson is declared President.

Robinson thanks them stating it has been an honor to serve as the Presiding Officer of this Council. He has said it 100 times and will continue to say he does not imagine any other Council to be as hard working as this one. He is very proud to represent them and thanks Councilman Clark for his willingness to accept a nomination to serve as President.

**VICE-PRESIDENT:** A nomination was made by Robinson and seconded by Davis to appoint Ingram as Vice-President. A nomination was made by Clark and seconded by Selvey to appoint Polk as Vice-President. No further nominations. A roll call vote showed 4 votes for Ingram (Garrett, Dishman, Davis, Robinson) and 5 votes for Polk (Selvey, Green, Polk, Clark and Ingram). Clark's MOTION CARRIED. Polk is declared Vice-President.

Ingram comments that he doesn't feel right voting for himself. In the shifting of the seating, Robinson adds that it has been an honor to have Ingram as Vice-President for the last year. He is an exceptional councilmember who does his due diligence, his homework and always shows up for the people of the City of Muncie and appreciates his service to the community. As sad as he is to see Ingram leave as Vice President, he is equally as happy to welcome Polk as they have worked very well together over the last two years. Polk is known to be a man of his word and somebody that serves this community with distinction, therefore, they all appreciate his service.

**READING CLERK:** A nomination was made by Ingram and seconded by Robinson to appoint Selvey as Reading Clerk. No further nominations. A vote by acclamation showed 9 yeas and 0 nays. MOTION CARRIED. Selvey is declared Reading Clerk.

Robinson welcomes Selvey as Reading Clerk. He states he was proud to second the nomination and knows she will do an exceptional job.

**APPROVAL OR THE MINUTES:** A motion was made by Green and seconded by Ingram to approve the Minutes from December 6, 2021. A roll call vote showed 8 yeas and 1 abstain (Polk). MINUTES APPROVED.

**APPOINTMENTS TO BOARD AND COMMISSIONS:**



**BEECH GROVE CEMETERY:** Robinson begins by stating they have two appointments to the Beech Grove Cemetery Board by virtue of ordinance 51-21, passed two months ago, expanding the number from 5 to 7 for the members of the Board of Trustees. He wants to remind the Council that the appointments must be landowners at Beech Grove Cemetery. With that, Robinson declares nominations open.

A motion was made by Robinson and seconded by Selvey to nominate Karen Vincent. He believes they all received information from Ms. Vincent, who is the current President of the Delaware County Historical Society.

A motion was made by Polk and seconded by Selvey to nominate Zac Bow. Robinson states Mr. Bow, too, sent his information in and to summarize, he is a landowner and has been a dedicated volunteer at Beech Grove for years. In fact, he helps assist out there in summer months by placing the American flags at the cemetery for Veterans Day. He also has a passion for historic preservation and Beech Grove Cemetery. A roll call vote showed 9 yeas and 0 nays in the support of both. MOTION(S) CARRIED. Both Karen Vincent and Zac Bow appointed to the Beech Grove Cemetery Board.

**METROPOLITAN PLANNING COMMISSION:** Robinson informs they have one appointment and opens it up for nominations. A motion was made by Robinson and seconded by Clark to nominate Jerry D. Dishman to continue his service. No further nominations. A roll call vote showed 9 yeas and 0 nays. MOTION CARRIED. Jerry D. Dishman reappointed to the Metropolitan Planning Commission.

Robinson thanks him for his willingness to continue and confirms he has been on that Commission for a while now with a lot of institutional knowledge about the inner workings of that so they certainly do appreciate his service. It is also a fact that Dishman has perfect attendance on that Commission. Dishman clarifies he missed one time due to having to be here, for Council. Robinson adds that he also recently learned that Dishman has perfect attendance in his 15 years as a City Councilman. He is a good man for his District and an excellent public servant.

**INDUSTRIAL REVOLVING LOAN FUND:** A motion was made by Polk and seconded by Robinson to nominate Aaron Clark to continue his service. A motion was made by Davis and seconded by Clark to nominate Troy Ingram. Clark then respectfully removes his name from nomination. No further nominations. A roll call vote showed 9 yeas and 0 nays. Davis' MOTION CARRIED. Troy Ingram appointed to the Muncie Industrial Revolving Loan Fund.

**FIRE MERIT COMMISSION:** A motion was made by Ingram and seconded by Robinson to nominate Andrew Popp. No further nominations. A roll call vote showed 9 yeas and 0 nays. MOTION CARRIED. Andrew Popp appointed to the Muncie Fire Merit Commission. Robinson thanks him for being willing to serve.

**REDEVELOPMENT COMMISSION:** Robinson confirms they have two appointments to make and opens it up for nominations. A motion was made by Davis and seconded by Robinson to nominate WaTasha Barnes Griffin. A motion was made by Selvey and seconded by Clark to nominate Lorraine Tomlin to continue her service. A motion was made by Polk and seconded by Green to nominate Isaac Miller to continue his service. (Selvey attempted to second but Legal Counsel recommended someone else second since she made a motion on another nominee.) No further nominations. Selvey questions if they can hear from the nominees that are in attendance before they vote. Robinson makes the comment that they didn't do so for the earlier appointments but is happy to welcome any of them to the podium if they care to do so. Selvey then invites up Ms. Tomlin and Mr. Miller.

Lorraine Tomlin thanks them for the consideration of reappointment informing them she has been on the Commission since august. It has been very rewarding, also her pleasure to serve and she hopes to do so again. She has 27 years of banking experience and with almost 14 in commercial lending so she has looked at deals that has brought business to downtown Muncie and all of Delaware County. In closing, she thanks them for the consideration.

Isaac Miller is excited to have a chance at reappointment to the MRC Board by the Council again which they actually appointed him at the beginning of last year so he has served the full year as well as being the Secretary for the past 5 months. The MRC does so much important and valuable work to this City and he urges anyone that hasn't been to one of their meetings to please come out and hear about all the projects they are doing and the other good stuff going on. He thoroughly enjoys serving on the Commission, would love to continue doing so and is willing to answer any questions.

A roll call vote showed 3 votes for WaTasha Barnes Griffin (Garrett, Davis and Robinson), 8 votes for Lorraine Tomlin (Polk, Dishman, Selvey, Clark, Green, Ingram, Davis and Robinson) and 7 votes for Isaac Miller (Polk, Dishman, Selvey, Clark, Green, Garrett, Ingram). Selvey and Polk's MOTION(S) CARRIED. Both Lorraine Tomlin and Isaac Miller appointed to the Redevelopment Commission.

**MUNCIE EDIT BUILDING CORPORATION:** Robinson explains this is a Board that has to be politically balanced with one Republican appointment and one Democrat appointment. He declares nominations open. A motion was made by Clark and seconded by Selvey to nominate Victor Whitehead (R). Clark then questions if the appointments are one-year or two-year. The Clerk will have to verify during the meeting but later informs the appointments are two years. No further nominations. A motion was made by Robinson and seconded by Ingram to nominate Andrew Popp (R). A roll call vote showed 4 votes for Victor Whitehead (Clark, Green, Selvey and Polk) and 5 votes for Andrew Popp (Garrett, Ingram, Dishman, Davis and Robinson). Robinson's MOTION CARRIED. Andrew Popp (R) appointed to the Muncie EDIT Building Corporation.

A motion was made by Robinson and seconded by Clark to nominate WaTasha Barnes Griffin (D). No further nominations. A roll call vote showed 9 votes for WaTasha Barnes Griffin. MOTION CARRIED. WaTasha Barnes Griffin (D) appointed to the Muncie EDIT Building Corporation.

Robinson thanks both Mr. Popp and Ms. Griffin for their willingness to serve. He will inform them that that meeting is forthcoming. This is a Board that meets once a year and Clark adds it will be Jan. 20<sup>th</sup>. Robinson states he will alert Brenda Brumfield with the Chamber and make sure she knows who those appointments are so that she can get in touch.

Belinda Munson, City Clerk, states that anybody here tonight appointed to a Board or Commission should see her before they leave to get the proper information they need regarding being sworn-in and receiving their Certificate of Appointment.

**APPROVAL OR THE COMMON COUNCIL MEETING DATES:** Robinson informs they are going to approve the meeting dates for the year 2022. A motion was made by Polk and seconded by Ingram to approve. A roll call vote showed 9 yeas and 0 nays. MEETING DATES APPROVED.

\*Robinson informs the reason they are doing roll call for every vote this evening is because they have a councilmember (Garrett) appearing virtually this evening. By the State Statute, as well as the local ordinance, it is advised to do a roll call on each vote. Even the resolutions, because a member is joining virtually, will be doing roll call on everything this evening. He just wanted to give everyone a heads up.

**ORDINANCES PREVIOUSLY INTRODUCED:**

ORD. 52-21 AN ORDINANCE FIXING THE SALARIES FOR ALL ELECTED OFFICIALS OF THE CITY OF MUNCIE, INDIANA FOR THE YEAR 2022.

A motion was made by Green and seconded by Ingram to Adopt.

Robinson reminds everyone they heard from the City Controller on matter this last month. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 53-21 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE POLICE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2022. (AMENDED)

A motion was made by Ingram and seconded by Polk to Adopt as Amended. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED AS AMENDED.

ORD. 54-21 AN ORDINANCE FIXING THE MAXIMUM SALARIES OF EACH AND EVERY MEMBER OF THE MUNCIE FIRE DEPARTMENT OF THE CITY OF MUNCIE, INDIANA, FOR THE YEAR 2022. (AMENDED)

A motion was made by Ingram and seconded by Green to Adopt as Amended.

Todd Smekens, Muncie Voice, asks how the fire department has paid for this and if it is through property taxes and county option and local option income tax. Robinson answers a little bit of all of that as well as revenue generated through the EMS program. Smekens asks if anyone here on the Council, especially President Robinson in District #2 with Ball State, has reached out to the State Officials to see if we can get any assistance with Ball State paying a payment-in-lieu-of-taxes, a pilot fee. Robinson believes Ball State already pays a pilot for fire protection (and does not have the exact number but believes it is \$250,000 per year). Chief Miller confirms as well that they do pay a fee but does not have that exact figure and thinks it is about \$250,000 a year that they pay. In addition paying toward a tower truck, too, to service Ball State as well. Smekens questions how that figure was decided upon. The reason he is asking is in looking at their financial statement in 2021, they built \$70 million worth of new buildings on campus. They have a total of \$480 million in assets on campus and it's amazing because when he drives through campus, as anybody else does, there is paved roads, perfect sidewalks and curbed cuts. They have all kinds of these great amenities but as soon as you drive off campus, it's deteriorating. He claims he has been hearing that the City of Muncie doesn't have any money to keep up with the sidewalks, pave the roads and do all that other stuff but it is amazing because we can do it at Ball State campus but we can't do it off Ball State campus around the rest of Muncie. Smekens states in fact, Marta Moody is getting ready to bring up a plan that was paid for and doesn't address anything about revenues. Nothing. When Muncie Community Schools had a problem with revenues, all of sudden everybody started lining up from Muncie all the way to Indianapolis and the school district got taken away from the local community, supposedly because we couldn't handle it. Yet, here we are again, another year goes by, you're taking money away, property owners taxes keep increasing and now you go into a county option tax and a local option income tax and you're hitting workers to pay for Public Safety but nobody else is paying. Ball State doesn't pay a dime! They pay \$250,000 and they got \$480 million dollars in assets over there. That we protect. That we subsidize. We pay for it. He is not sure if that \$250,000 is enough and can bet if you called up the insurance company there is way more than that insured over there. So, when will the Council start calling the people in Indianapolis and have them come over here and talk to us about the needs in this community and how we need some of these nonprofits to start paying their



fair share in taxes. He refers to the people outside of campus as you can clearly see it and claims you would have to be blind not to. You could drive around campus all day long and it's beautiful. You could go over to Minnetrista and it's beautiful but as soon as you venture off the campus you got a problem... Robinson calls point of order and questions this being related to ordinance 54-21. Smekens states yes, it is public safety, talking about contribution... Smekens questions if Robinson gets paid by donors of Ball State or if he has a conflict of interest. Moving down the entire council, Smekens questions if anybody up there gets paid by Jud Fisher/the Ball Brothers Foundation and if so to raise their hand. (He claims Robinson should raise his hand). Robinson states point of order has been called. Smekens, again, asks Robinson if he gets paid by the Ball Brothers Foundation. Ingram states he doesn't understand what that has to do with ordinance 54-21. Robinson, to go ahead and answer his question, affirms that no, he does not get paid by the Ball Foundation. Smekens exclaims that is bullshit. Attorney Gibson informs the Council that at this time, Mr. Smekens is being disruptive to the meeting. The councilmembers inform him all that is not necessary. Robinson states that Mr. Smekens is being disruptive and asks him to either sit down to leave. Smekens then states to answer the question on why they haven't brought anybody up here from Indianapolis to talk about how we can get a whole community of revenue from Ball State. Ingram states point of order has been called and he either needs to sit down or leave. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED AS AMENDED.

ORD. 55-21 AN ORDINANCE CREATING AN EMS OFFICE MANAGER FOR THE MUNCIE FIRE DEPARTMENT.

A motion was made by Ingram and seconded by Green to Adopt.

Audie Barber confirms that this is an EMS Office Manager for the Fire Department and just wants to make sure EMS is making the money to pay for this position. Reiterating if it is going to be paid out of EMS funds. Robinson informs that Chief Rachel Clark confirms yes from her seat. Barber also makes sure that the Muncie Fire EMS is still making money. Both Robinson and Selvey confirm. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

ORD. 56-21 AN ORDINANCE AMENDING ORDINANCE 49-21 FIXING THE MAXIMUM SALARIES OF EACH AND EVERY APPOINTED OFFICER, EMPLOYEE, DEPUTY, ASSISTANT, DEPARTMENTAL AND INSTITUTIONAL HEAD OF THE CITY OF MUNCIE, INDIANA, INCLUDED HEREIN FOR THE YEAR 2022.

A motion was made by Polk and seconded by Ingram to Adopt. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

**NEW ORDINANCES:**

ORD. 1-22 COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, DESIGNATION OF ECONOMIC DEVELOPMENT TARGET AREA (Southway Plaza Area).

A motion was made by Selvey and seconded by Davis to Introduce.

Green states as the sponsoring councilperson for this ordinance, he would like to table this and bring it back in February. He explains they are having a little difficulty getting quotes for the HVAC in addition to roofing repairs that need to take place. That all has to get organized before the Council can take any action. By the advice of Attorney Gibson, he recommends introducing it first since that motion has already been made then they can further go on to table. Questions called. Clark recalls a question on the amount of acreage that they can put underneath the designation. Right now, he believes the limits of

the city is around 16,000 acres and we currently have 2,400 to 2,500 acres that are under that designation so we are well below. Robinson clarifies that designation is 15% total, which is correct. A roll call vote showed 9 yeas and 0 nays. INTRODUCED. A motion is made by Green and seconded by Ingram to Table. A roll call vote showed 9 yeas and 0 nays. TABLED. (Robinson informs for those new or watching from home that the ordinance shall be on the table for 6 months before either needing to come off or dying due to no action being taken.)

ORD. 2-22 AN ORDINANCE DECLARING AN ECONOMIC DEVELOPMENT TARGET AREA FOR GREATER MUNCIE INDIANA HABITAT FOR HUMANITY, INC. (713 E. Willard St.)

A motion was made by Ingram and seconded by Selvey to Introduce. Questions called. A roll call vote showed 9 yeas and 0 nays. INTRODUCED.

ORD. 3-22 AN ORDINANCE OF THE CITY OF MUNCIE AMENDING THE TRAFFIC SCHEDULES SET FORTH IN CHAPTER 80 OF THE CITY OF MUNCIE CODE OF ORDINANCES.

A motion was made by Robinson and seconded by Polk to Introduce.

Robinson is aware they have all seen this but for the Council's knowledge, ordinance 3-22 is what they've been referring to as a standalone ordinance referring to the overall Traffic Code. There has been a number of Neighborhoods highly engaged in getting some changes made such as the addition of stop signs, speed limit changes and other traffic-related things of that nature. These Neighborhoods have had a tremendous amount of buy-in from the residents of each neighborhood. This includes Halteman Village, South Central Neighborhood, Old West End, Kenmore Neighborhood and Southside Neighborhood. Again, these changes have been, from his understanding, an overwhelming majority of each neighborhood who are desperate to make these changes. Therefore, the Council wanted to bring this ordinance forward to get the Neighborhoods who have been the most engaged taken care of, as the new City Engineer reviews the overall traffic ordinance along with the other suggested changes throughout the city.

Selvey states as an At-Large councilperson, she loves what those Neighborhoods are doing but we just have to always remember there are some Neighborhoods that are not as highly engaged. She has read this and thinks that it is great and thanks everybody that was involved in this. She would request from the Council and the Traffic Committee to think about the Neighborhoods that are not as highly engaged and if they could make a blanket rule for all Neighborhoods to follow. That way, what applies in Halteman could apply to another non-engaged Neighborhood Association. She thinks what is good for one Neighborhood is good for another one, even if it's not engaged, such as speed limit, traffic signals or whatever. She is just suggesting to think about all the Neighborhoods when the Traffic Committee meets and to make a blanket statement or rule to go by.

Robinson also takes the opportunity to thank Councilman Garrett, Councilman Green and Councilman Polk for taking care of the Neighborhoods in their Districts; he really appreciates their input for always looking out for the people in their District.

Clark questions how this will affect the Tabled ordinance 57-21. Attorney Gibson explains to the extent there is any overlap in what is currently tabled, it would need to be amended when it comes off the table to remove those items. Gibson is anticipating several amendments so it would just be one of many and could be handled with no problem.

Polk noticed that Mr. Marshall, the Parks Board President is in the audience and states one of the sections in here refers to speed limits in a park that can be dropped to 20 mph. He wonders if he is willing to come talk about that a little bit and recalls them meaning to talk about it at the last Park Board meeting.

Brad Marshall, Parks Board President, recalls talking about speed limits a little bit within the Department as well as with Mr. Malone. In the Five-Year Plan, one of the focuses is making parks accessible to walking and bicycle traffic so any speed limit reductions in those immediate areas would be great and beneficial to the children and the safety of the park. Questions called. A roll call vote showed 9 yeas and 0 nays. INTRODUCED.

**ORD. 4-22** AN ORDINANCE OF THE CITY OF MUNCIE AMENDING SECTION 152.16 OF THE CITY OF MUNCIE CODE OF ORDINANCES.

A motion was made by Green and seconded by Ingram to Introduce.

Council Attorney Dan Gibson explains this is an amendment to Section 152.16 which was just adopted by this Council a few months ago relating to the vacant and abandoned registration requirements. Once the Building Commissioner's Office started planning to implement the code that was adopted a few months ago, they had a few changes that they recommended. Therefore, he and Councilwoman Selvey met with the Building Commissioner's Office and Aubrey Crisp with the City Attorney's Office, talked through some of those proposed changes and agreed on some of them while others were determined not necessary. What is before the Council tonight is just a few proposed changes, the first one that would clarify the time line for complying with the requirements to board and secure the property in addition to expressly permitting the City to go onto the property to board and secure if they do not comply after receiving notice. It also provides further details regarding requirement that a written plan be submitted for maintenance at the time of registration. Furthermore, it provides guidance on what must be done after 1 year, in terms of boarding and securing if it still considered a vacant and abandoned property. (Because after one year, the ordinance they previously introduced said boarding is no longer appropriate and is simply a temporary measure.) Finally, it changes the registration fees and penalties and starts them lower but provides for increases based upon a delay in registration. Questions called. A roll call vote showed 9 yeas and 0 nays. INTRODUCED.

**RESOLUTIONS:**

**RES. 1-22** A RESOLUTION OF THE CITY OF MUNCIE DESIGNATING THE SECOND MONDAY OF OCTOBER AS "INDIGENOUS PEOPLES' DAY" IN THE CITY OF MUNCIE.

A motion was made by Davis and seconded by Clark to Adopt.

Brad King is here to advocate for Indigenous People's Day and thanks them for the opportunity to recognize the type of contribution Indigenous Peoples gave our area. Especially in a community named "Muncie," in a County named "Delaware." He thanks them, very much, for the opportunity of the recognition of these peoples effort.

Clark thanks Councilwoman Davis for authoring this resolution, as he believes it is a recognition that is long overdue. Last week, he states he contacted the American Indian Center of Indiana just to show them the resolution and see if they would give some support or feedback. It was late and Clark did not receive a response back but confirms anything he does he will share with the Council. As we all know, the displacement of these Tribes from their Lands that created immense loss of life and an immense loss of cultural devastation. Clark would like to mention on record the Tribes living in Indiana prior to their removal by land cession treaties or by the Indiana removal act as Miami, Shawnee, Kickapoo, Odawa, Potawatomi, Wea, Piankashaw, Chippewa, Delaware, Wyandot, Kaskaskia and the Eel River Tribes. Clark also shares that in honor of resolution 1-22, he has gifted a membership to the Eiteljorg Museum of American Indians and Western Arts to the Muncie Public Library on behalf of this Council.



This membership will allow Muncie Library patrons to take 4 adults and an unlimited number of children aged 17 and under to the museum to further inspire, appreciate and gain understanding of the arts, history and culture of the American West and the Indigenous Peoples. Questions called. A roll call votes showed 9 yeas and 0 nays. ADOPTED.

**RES. 2-22 AUTHORIZING THE ENTRY BY THE CITY OF MUNCIE, INDIANA, INTO A BOT AGREEMENT AND RELATED DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS RELATED THERETO.**

Council Attorney Dan Gibson recalls this being the resolution they had the Public Hearing on earlier this evening. As Bill Hughes, one of the City Attorneys, stated, they worked through some amendments to the resolution that really clarify what is being asked of the Council tonight. Gibson thinks it is important to walk through some of these recommended revisions and amendments as he thinks it is important to help clarify what it is being done tonight in relation to the Solar Project. As both Mr. Martz and Mr. Hughes earlier stated, this is step one and there are going to be additional actions that the Council is going to be requested to take. He believes the core action they are looking for tonight is the following: accept GM Developments proposal on the project, award GM the right to pursue the Solar Project, authorize the Mayor to move forward with acquisition of the subject property (described during the Public Hearing), authorize the negotiation and drafting of the final transaction documents and also authorize the City to engage a Financial Advisor to recommend financing for the project. Final documents and financing will be subject to further approval by this Council at another future meeting, not tonight. The amendments that Gibson is recommending consist of changing the title to "A Resolution Authorizing Certain Actions Related to a Recommendation that the City of Muncie, Indiana Enter into a BOT Agreement and Related Documents." The next amendment would be to Section 1 to read, "Pursuant to the Act, the Council hereby accepts the Developer's proposal and grants the Developer the right to pursue the Project and negotiate the BOT Agreement with the City. The Transaction Documents shall be in a form to be provided by the Developer and reviewed and approved by the City Attorney, Mayor and Council. The City confirms and finds that the BOT Agreement constitutes a BOT Agreement under the Act." Section 2, Gibson recommends be amended to state, "The Council hereby finds that the project contemplated by the Developer's proposal and Transaction Documents, including the BOT Agreement, will serve the public purposes of the City and is in the best interest of the City and its residents." Section 3, Gibson recommends be amended to read, "The Council hereby approves the negotiation and drafting of the Transaction Documents in a form to be approved by the City Attorney and Mayor, subject to final approval by Council at a future meeting, such approval to be evidenced by their execution and delivery of such documents. The Mayor is further authorized to pursue acquisition of the property in accordance with any procedures required by law." Section 4, Gibson recommends that a sentence be added to the end stating "The financing of the Project shall be subject for the approval by the Council." Section 5, he recommends an amendment that at the beginning "With the exception of final Transaction Documents and any other action that requires further approval by Council pursuant to applicable law..." Lastly, in Section 6, Gibson recommends that the first sentence be struck. The Council has all of this in writing and Gibson mentions that whoever makes the motion to amend doesn't have to recite all of that. If the Council accepts these recommendations, it can be done by a simple motion to amend as recommended by Attorney Gibson. A motion is made by Robinson and seconded by Davis to Amend. A roll call vote showed 9 yeas and 0 nays. AMENDED. A motion is made by Green and seconded by Polk to Adopt as Amended.

Kristopher Bilbrey believes they have a long way to go on this according to everything he has seen and heard but is not against this in any way. The only thing he is kind of concerned about and has been for a while is on October 12<sup>th</sup>, the Mayor answered questions with the Indiana Regulatory Committee and in the written answers, he stated that the Council had given him bipartisan authority to do whatever he was talking about at that time. At that time, there had never been a vote on this. Bilbrey just wants to ask the Council if they are aware of the statement Mayor Ridenour is referring to or if they have seen it and if they are familiar with what authority (at any point) they would have ever given the Mayor on this before tonight. This is the first time, other than the July 6<sup>th</sup> 2020 BOT resolution that was voted on, that this has come before the Council. Bilbrey doesn't know what that statement was that the Mayor made and is trying to see the Council does.

Clark is not sure what statement Bilbrey is speaking of but does believe when they voted in favor of resolution 12-20, that does give the Administration the ability to issue RFP's to engage in the Developer and take it up to the point they are at now without it being discussed in public. Bilbrey clarifies that would be on any project ever. Clark states any project that can fall under the Build-Operate-Transfer law within Indiana. Bilbrey states wow. Clark refers to what he has seen in the past and since they initiated this in July, he thinks what it does is (and the Developers may be able to speak to this) gives the municipality some discretion as they go into the project. That way, if they get to the end of the process and realize that it's not a good project for them then there's nothing that the City has to commit to, whether it be Developer-wise or any other entity of that such. The deal could be severed completely and they might not even know about it as a Council. Bilbrey questions if the City has paid for anything or if there has been any money put out. Clark recalls in his experience with a Build-Operate-Transfer RFP the Developer does not charge any initial fees. Bilbrey guesses as long as we haven't paid anything then there is no harm no foul there. Clark makes the comment this is the finish line for the beginning of the start. They have crossed the initial RFP process and are getting ready for the next step. Clark assures he has no knowledge of the Solar Project other than the Mayor talking about it in the past but just from what he has studied on Build-Operate-Transfer agreements, this would begin the discussion and contractual commitment the Council would have. Bilbrey confirms and questions up until this point, other than what has been in The Star Press, the Council has not voted on anything that they know of. Clark assures the only people that would have any information or know would be the Advisory Committee that was formed. He can't recall who was on that Committee. Ingram states he was on that RFPQ Committee and they held a meeting discussing the Solar Project and took in RFP's, looked at different proposals from three different companies and the one they chose was the one from GM. That is the bulk of what happened with the RFPQ Committee. Bilbrey just wanted to make sure because there is a situation in the County right now where there are a lot of pissed off Delaware County citizens because they feel as though action has been taken without their input. This Mayor's whole goal was to improve communication, transparency, accountability, and slow government down but Bilbrey feels like that has not happened. He wants to make sure that does happen and this Council has been great in helping that process so he just wants to make sure that as much is out in the open as possible and the Council has done their jobs. He thanks them.

Audie Barber arrives and states he has a couple concerns with the property. There is about 55 acres there, give or take and there are 2 parcels in the middle of this property that belong to I&M, at least according to Beacon of Delaware County. They are right in the middle and probably 150 ft by 200 ft or so. He questions if that is going to be a problem and something they need to look into because it's clearly on Beacon. Also, the concrete. Barber questions if that is going to be the responsibility of the City of Muncie to take up and remove or the Contractors because according to Beacon of Delaware County, the

name on the property is Revitalizing Auto Communities Environment Response (RACER). Clark mentions the acronym. Barber confirms that is who owns it. Clark states yes. Barber relays that the City of Muncie doesn't even own it at this time and just is concerned with the two pieces of property in there that belong to I&M in addition to the responsibility of cleaning up the concrete. Barber believes that concrete is probably 10 in. to 12 in. to 14 in. thick. That is a pretty good chunk of concrete on that piece of property.

Clark thinks now is a good opportunity for the Developer to come up and speak. He is aware they mentioned earlier how they are going to build a ballast system on top of this brownfield and thinks maybe an explanation would help the public understand.

Ryan Stout, Performance Services out of Indianapolis, explains the concrete was a major concern. That is why they developed a system that will ballast on top of the concrete so there will be no digging or environmental concerns. RACER will still be responsible for all the environmental concerns moving forward and AEP (American Electric Power) has been addressed and is willing to give that property back to the City. That will all be taken out of the situation and is why, again, this has taken 18 months to really develop. Clark asks for clarification who the second owner of the land was. Stout states RACER and then Indiana Michigan Power. The two parcels they are referring to was actually where their substations were set for the property. Barber has the area pulled up on Beacon on his phone and approaches Clark to show him. Clark acknowledges how tiny they are and assumes they were probably the substations there for the factory. Barber is sure that is what it was. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED AS AMENDED.

RES. 3-22 A RESOLUTION OF APPROVAL FOR TogetherDM – THE NEW MUNCIE-DELAWARE COUNTY COMPREHENSIVE PLAN AND STRATEGIC INVESTMENT PLANS FOR MUNCIE AND DELAWARE COUNTY.

A motion is made by Polk and seconded by Clark to Adopt.

Marta Moody, Executive Director for the Delaware Muncie Metropolitan Planning Commission details how over the course of the last year they have been involved in a planning process to create a new Comprehensive Plan for Muncie and Delaware County. Some of the councilmembers have been involved in some of the public input opportunities either through the open houses, the Land and Traffic Committee meeting or their 'kitchen table conversations,' and are now at the end point for the process. The Planning Commission started the Public Hearing process for final adoption at a December 9th meeting and has forwarded the final document to Council for adoption. Since this agency is a City-County agency, the document went in front of the County Commissioners at their January 3rd meeting for adoption and is now in front of the Council for adoption for the City of Muncie. Moody also adds that with her this evening is Peter Lombardi, CZB LLC (who is the consultant for this project), who is the Project Manager and had a wonderful presentation prepared but technical difficulties are preventing that from being viewable. However, he will go through and note some of the highlights of the Plan. She assures they Council all have copies of it, it has been posted on the website, on Facebook and if desired, they can also post the presentation that they would have seen tonight on the City's website. She mentions, though, that all of the information involved in this process is available on TogetherDM.com.

Peter Lombardi states it is an honor to address the Council tonight as well as working with the constituents in the community on this on this project, especially the Project Steering Committee. As earlier mentioned, this is a Comprehensive Plan that sets the general direction of the community over the next 20 years and also serves as a document that guides investment within the community. It is important to note that this Comprehensive Plan is not a legally binding document. The implementation of the Plan



will only happen to the extent that the community is willing to make decisions day after day, year after year that are consistent with the Plan's vision. It can be seen in the document there are several components of this TogetherDM vision for the community. One component of that vision describes a system of core values and planning principles that will serve as a decision-making framework for the City and County going forward. Entrepreneurial and gritty are two values that are singled out as important legacy values of the community to carry forward with decision-making. Three aspirational values identified consist of inclusive, thoughtful and bold which are identified as values for the community to make an ever-strong commitment going forward. Core values and planning principles to help guide decision making going forward on things like budgets, policy making and a range of other investment decisions that are made within the community. A second component of the Plan, as it can be seen, are three priorities and this Plan is very conscious about not being about everything everywhere but about providing some focus for decision-making. Those three priorities are improving quality of place, strengthening housing conditions and housing opportunities and expanding opportunities for upward mobility. The document, he believes, demonstrates those three priorities being pretty closely integrated with one another both within the City of Muncie and throughout Delaware County. The third component of the Comprehensive Plan is the overall direction that it provides for the community. That can be summed up by the phrase "get the basics right." From the beginning of the process, they heard from people who talked simply about potholes being a focus for them and something that this community has to pay more attention to. So, potholes are just one example. However, there was an overall feedback received that there are certain things that haven't been addressed in the last 10, 20, even 30 years that need to receive even more focus going forward so the community is in a position to go even further beyond the basics. A system of core values and planning principles, a set of priorities and then this direction to get the basics right all together provides a vision for TogetherDM for the City of Muncie and Delaware County. The final part of the document is composed of two Strategic Investment Plans, one for the City of Muncie and one for Delaware County. This Strategic Investment Plan is an effort to translate the vision of TogetherDM into a tangible set of things to do within parts of the City of Muncie and Delaware County. For the City of Muncie, there are three place-types that are identified, Downtown, City Neighborhoods, and Parks and Connective Corridors. For each of those three place-types, the Strategic Investment Plan provides some strategic considerations to assist with decision-making and investment making along with some clear goals for those three place-types as well as a set of starter activities to move implementation forward on those place-types. The last thing he wishes to comment on and refers to the mention in the document of a TogetherDM Coalition. Coming from long conversations with the Steering Committee this is not an effort over the next 20 years that the City of Muncie and Delaware County can move on their own or even that the County and City together can move on their own. This will require a broad public private nonprofit partnership throughout the community and all Coalition members making decisions in a manner consistent with the vision of the TogetherDM Document. That way, the document provides some ways of thinking about how a Coalition might work and calling attention, of course, to the Muncie Action Plan as a successful Coalition-base model that has been active over the past decade. It also really demonstrates how Muncie has (sort of) a head start in using broad base coalition to advance a range of community goals. With that, Lombardi is willing to answer any questions that came up regarding the Plan. In closing, he thanks the Council for allowing this presentation as well as the Steering Committee and members of the community who participated in the different public engagement processes that Moody had earlier described.

Davis thanks them because the kitchen table events were excellent. She recalls we learn from our neighbors and presenters and it was a good way to gather information. Kudos to them for implementing that because she thinks it was a great part of this.

Clark thanks them both, again, for their work on this. He reiterates the participation, the table top sessions, the online info and questions how they would rate the participation in the County to the web for the original survey and then throughout the community in the open meetings that were available. Lombardi clarifies he is meaning compared to other communities and Clark states yes. Lombardi, commenting on how good of a question that is, says it was about average. They certainly dealt with communities where engagement was less (as they are actually dealing with one right now in upstate New York in which that is the case) while others are more... and he gives a few examples. For the online survey, he believes that all together there were about 600 completed responses, which is pretty good for a system like that. He would say that adding all of the people together who participated in the kitchen table conversations and (believing there were four different conversation rounds) there were upwards of probably 200 – 300. A really important thing when it comes to community engagement is to think about the quality of engagement. As Councilwoman Davis alluded to, consist of having really rich conversations at a small scale and not believing in 300 people in high school gymnasium talking over one another. Having really small-scale conversations to really dig into a topic are really helpful and provide a lot of useful feedback to this process. Clark thanks him and also appreciates Mr. Lombardi mentioning improvement of quality of place as he believes it is the number one economic development tool that a community can have. We can chase smokestacks and look at other ways to grow as a community and grow our business base but questions what kind of success, again in his experience, with other communities that have placed quality of place as a priority and what can be seen from those now. Lombardi states quality of place is, obviously, a wide topic and can refer to how good a street looks or how good a tree canopy is. Clark assures that it has been dialed into Parks, Streets and the obvious things that we should be focusing on. Lombardi states yes and the way to think about what the payoff is, ultimately, patience is a huge part of the equation when it comes to quality of place because a lot of those are not just in some cases large budget items but is also about sustaining effort over a period of time. Lombardi mentions one example and recalls recently doing a Comprehensive Plan for the City of Greenville, South Carolina. That is a city that by the 1970's were hard up because their textile industry had basically evaporated during the 60's and 70's. They also had a polluted river and a downtown that was faltering. In the middle of 1970, a very conscience decision was made to really go all out on having a stellar downtown, invigorating its waterfront and putting a lot of money into having one of the best downtowns in the country (which they have today). That was a 50-year process they went through and did not happen in five or ten years. What is being seen in Muncie, over the past decade with the way Walnut Street has evolved and gotten better, a way for the community to see improvements downtown is that you have made a down payment and seeing real progress but it is not time to take our foot off the gas. We have to think about how to build on that year after year and how to have the patience to not let it slip after you have seen the fruits that the investment along Walnut Street bare. It is about patience, not being cheap and not being cheap over decades. Clark comments it is funny that Mr. Lombardi mentioned Greenville because Clark's wife is always looking for a warmer location. He states their work has been amazing.

Davis requests that they please post the presentation to the City of Muncie website, which they respond they will make sure to do so.

Todd Smekens questions if the Council has read the plan. Ingram explains this is the second time that Ms. Moody and the group putting this together has come before the Council. Clark adds that many of

the councilmembers have been part of the meetings and have had the plan for a couple of weeks. Smekens questions if it was noticed there was no mention of bringing up additional revenues from all of the nonprofits in Muncie, Indiana. There was no mention at all. Clark thinks, traditionally, that has not been a means of revenue for the City. Smekens recalls Muncie being unique if they can remember correctly, by just giving the Muncie Community School System to the State to manage because we couldn't generate enough revenue. Why aren't we having these conversations? We have paid a lot of money for these guys and a matter fact, Smekens wishes to ask Ms. Moody who paid for the Plan. Moody walks up to the podium and explains that the funding for the project was 80% from federal planning dollars that her agency manages and then a match that came from Community Development, the Community Foundation, the Hospital Foundation and a rapid grant from Ball Brothers. Smekens comments, in other words, the people from Next Muncie... We basically paid for a plan to get exactly what Next Muncie wants to do with Muncie and Delaware County. He refers to his question earlier of Robinson about him working for Shafer Leadership Academy and if he gets a grant from Ball Brothers Foundation. Robinson states a very small percentage of revenue brought in through Shafer Leadership Academy is from the Ball Foundation as well as the Shafer Foundation. Smekens questions if Robinson is going to recuse himself from voting on this plan. Robinson answers he wouldn't anticipate that would be necessary. Attorney Gibson affirms that is not necessary. Smekens wonders why isn't it and questions Gibson if he thinks that Robinson has a conflict of interest. Gibson states he does not. Smekens questions why. Gibson states because he has read the conflict of interest statute and understands the law and it is not a conflict of interest under Indiana law. Smekens closes by stating we basically spent a year getting exactly what Next Muncie wants to do. Robinson states apparently, according to Smekens. Smekens argues he read it and it is exactly what is on Next Muncie's website. Robinson calls point of order and assures he really wants to respect Mr. Smekens and his time and really appreciates him being here but he must act accordingly. Smekens closes by stating this Council is just a rubber stamp. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

RES. 4-22 A RESOLUTION OF THE COMMON COUNCIL APPROVING THE DELAWARE COUNTY HIGH TECH CRIMES UNIT INTERLOCAL AGREEMENT.

A motion is made by Ingram and seconded by Polk to Adopt.

Eric Hoffman, Prosecuting Attorney for Delaware County, states the Muncie Police Department has agreed to, under the Interlocal Agreement, give/assign a full-time Police Officer from their Department to his Regional High Tech Crime Unit housed in the Prosecutors Office. In exchange for that, Hoffman has agreed to pay the City of Muncie \$50,000 in two installments for the services of the Police Officer. It is a real game changer, in his opinion, for criminal investigation here in Muncie. What they will be able to do is really change the way in which they conduct criminal investigations and which the pace they normally do so.

Clark refers to the payment and questions if it is for the duration of this Interlocal Agreement. Hoffman confirms it is \$50,000 a year. Clark asks \$50,000 for two years. Hoffman states yes, so long as the funding comes from the State this year and next. They received a little under \$300,000 each year. As long as that keeps coming in, which he anticipates it will, it will be \$50,000 a year.

Ingram wonders if they approve this, will he quit getting calls about his extended auto warranty. Robinson jokes it's not that kind of high tech. Hoffman states for those that don't know, the High Tech Crime Unit is essentially a way to take your cell phones, iPads, computers and download and extract forensically all that information. Most violent crimes and drug dealing offenses now involve cellular phones. They can extract location data and several other things as well. The benefits of the City of



Muncie is even though it is a Regional High Tech Crime Unit, they could have somebody upstairs being interviewed as a suspect in a murder and if they confess or the police get a search warrant to search their phone, they can download and dump that cell phone and extract the information and then use it in the interrogation in real time. Whereas now they would send that phone to the Indiana State Police and it will take anywhere from six to nine months to get the information back.

Davis wants to know if this would be beneficial to any of the cold cases currently going on in Muncie. She expresses they hear a lot from individuals and families that are having a hard time with getting investigations done. Hoffman states it is hard to say. Going back and looking at the cold cases, many of which did not have cell phones at the time but assumes it would help if they had a current suspect using some sort of digital media in which they get a search warrant to investigate that way. The answer is potentially.

Nate Sloan, Muncie Police Chief, states he wishes to echo everything Prosecutor Hoffman stated. They absolutely support this and the equipment training and focus will greatly aide them. The identified officer for this position has repeatedly proved himself to be uniquely qualified in this area and has been identified as a Subject Matter Expert. In short, this a win-win for the department. It is absolutely going to speed up the process with which they get information back. It is absolutely correct in that it currently takes some time, while the State Police is very good at what they do, our department can now do it here and in real time. This is something they absolutely support and again it is a win-win.

Davis knows there has been issues with staffing shortages and wonders if this will potentially anticipate another problem with staffing. Chief Sloan answers no, it does not. This is going to be a ranking officer that has the aptitude. Another thing, they will be able to back-fill that position with the money provided from the Prosecutor's Office.

Clark questions on the opening itself if it is appointed by the Chief. Chief Sloan answers it is and is in agreement with Prosecutor Hoffman. They will have to work with this person daily and he will be assigned to their facility under purview of both the Prosecutors Office and the MPD. It is only going to increase the cooperation and relationship between the two offices. Clark just wanted to be sure it wasn't effecting the FOP Agreement. Chief Sloan answers no and that has all been provided in the Agreement.

Audie Barber wishes to reiterate what Davis brought up and confirms this takes an Officer out of the Police Department and puts him in the Prosecutor's Office but the Prosecutor's Office is going to pay the salary for that to open another position. Yet, we cannot get police officers as it can be seen now. We are still short. Barber claims he has caught the Chief out patrolling and attending to automobile accidents and such so we are short-handed on police officers. Robinson comments the Chief is an exceptional leader. Chief Sloan appreciates that and explains this is also going to be a force multiplier for the Department. This officer is already doing this in his current position and this is just going to sharpen his focus to just this and what he is doing. He is currently a Supervisor in CID which he will be replaced in that position to this position to do just that, what he is good at. Questions called. A roll call vote showed 9 yeas and 0 nays. ADOPTED.

#### **OTHER BUSINESS:**

Councilwoman Davis makes the following statement: "Dear District #6 Neighbors, Fellow Councilmembers and the City of Muncie, I have recently received an offer to serve a different capacity at a new company. After very careful consideration, I have decided to explore this new career path. This new role will require me to take more responsibility and will not afford me the time needed to effectively serve my community. For this reason alone and with the heaviest heart, I have no choice but to resign

from my role as Muncie City Council Representative of District #6 effective January 11<sup>th</sup> 2022. Please know that I am forever grateful to the citizens of this community that elected me to serve in this capacity. Every email, every phone call and every conversation that I've had with you all about the neighbors, neighborhoods and more will always stay on my mind. Your needs were my needs and I know that I fought hard to remedy or help in some kind of way which leaves my conscience clear. Serving you all has been a rewarding experience and I enjoy giving back to my community. My plan was to stay in this role as long as you would have me but as you can see life has lead me down a different path and I hope that you all will understand. I cannot thank you all enough for your support over the years and I wish you all an abundance of good health and prosperity.”

With that, Davis does ask that the neighborhoods in this community to do their part. Stay on these councilmembers and email them (all the time). Everything you do in your neighborhood makes this City better. You are doing a wonderful job and she appreciates every neighborhood that is being a part of City business because it makes a difference. Additionally, Davis goes on to state how there is an egregious error in the history of Muncie. Alice McIntosh was the first black woman to ever serve on Muncie City Council. Yet, she is not in the history books. When you pull up her name, it does not come up. It actually comes up a different woman. Davis is not sure who this woman is and believes she was a black woman employed with the Sheriff's Department but she was not the first black woman to serve on Muncie City Council. With that, Davis is asking anybody that is a historian and anybody that loves Muncie, if you know anything about history, she asks that we get her in the history books. Miss Alice McIntosh was elected to the Muncie City Council in 1983 and was the first black woman to do so. It needs to be corrected. Robinson can't say much other than it has been an honor. They are all going to miss her and wish her luck in the future. She deserves it and Robinson knows she will be successful in everything she does. He comments how good of a friend she has become and how much he is really going to miss her.

Jeanetta Presley, West 8<sup>th</sup> Street, currently volunteers at the Avondale Community Church under Neil Kreing. She states she is here to because of some issues that took place last week with the City warming centers. She notes that she went online and said some things she shouldn't have said (nothing really bad she doesn't think but enough to get noticed by some people). Homelessness is not a 9:00 – 5:00 situation; it is a 24-hour a day situation. These warming stations are open from 9:00 – 5:00 when people when can in basically anywhere. They can get into the mall, library etc. but when it comes to nighttime, they can't get in. She believes Neil went to some meetings and the Mission was supposed to be letting women in but then there became some issues with that. She recalls taking a woman there and then they wouldn't let her in it. They said that the Warming Stations are only for a couple of hours and there wasn't any place for them to get in. She is also aware the Y is closed but is not her business, that is theirs but assures they are closed and not taking women in right now. The whole point is that there was a big issue that happened and she became very angry and ended up putting people up in a hotel with her own money while lives on disability herself. She and many people here in Muncie are only one check away from being homeless themselves. It's the truth. Covid is running rapid. The public was told that the City building was going to open for warming and that ended up not being true because they are not letting anyone in here to get warm. She ultimately ended up in a meeting and met Mr. Frank and it has (kind of) already been resolved. However, she reached out to the Council and just decided that everybody needs to know this is going on. Currently, women are allowed at the Mission in the lobby. Presley states she currently has a lady there waiting on her to come and sit with her through the night because she doesn't want to be there alone in the Mission with men. Therefore, she plans to go and sit with her. Selvey thanks her for doing what she is doing and caring and additionally, for reaching out and being here.

She just reached out to the Mission and asked them to come here and represent what they are doing. She knows WaTasha Barnes Griffin is doing an amazing job. Selvey also reached out to the City and confirmed that the City building is, in fact, open. It may not be ideal but there are people here that can confirm it is open. **Presley indicates it isn't on the list of Warming Stations.**

Deputy Mayor Richard Ivy explains the City is not a part of that list for warming centers but the City Hall doors have always been open for year round cooling and warming. They will continue to be open. If there is a situation where someone needs to use the restroom and there is an officer here, a person can be let in to use the restroom facilities. He indicates they are working on trying to get better communication between the service providers. There is a lot of people working on it that should be working on it and some people working on it that shouldn't be working on it, independent of the service providers and they are working through those issues.

Dishman recalls a conversation about the boiler breaking down at the YWCA and he contacted one of the Board Members on MITS. He believes they said they could, in an emergency, open up the downtown terminal to keep people warm in there. If the City gets with them and informs them it is just for emergencies only, that is another alternative they can take that is just a temporary fix but they seem to be okay with that. Dishman informed him they can get a meeting together with the President and go over what needs to be done. Presley mentions the really frigid weather coming in and that people are living out on the street. Again, it's not just 9:00 – 5:00, this is a 24-hour thing. These people are out there on the streets and don't know what to do. She, as an individual, has taken this upon herself. She has tried to get the church to open up but assumes that since they are elderly, they are somewhat afraid. Her on the other hand, isn't afraid and is just fine. In closing, she goes back to what she mentioned online and says she apologizes. **She didn't meant it and Muncie doesn't suck. Robinson states Muncie doesn't such because Ms. Presley is a Muncie citizen that saw an issue and not only did she seek to find solutions but she has put herself out there to volunteer to be a part of that solution. Her and the hundreds, if not thousands of others in this community, who do that every single day – that is why Muncie doesn't suck. He thanks her for doing what she is doing. Presley claims she does it every day. She is at the church every day, doing something down there (even serving meals on Thursday nights).**

Frank Baldwin, President and CEO of the Muncie Mission, **expresses yesterday's newspaper** actively reported the pandemic does create stresses on the service providers. He is here to assure our community and our Council that the Mission has the capacity to service the most vulnerable neighbors in cold weather this winter. Because of the newspaper article, Councilwoman Selvey, President Robinson, the Mayor and various community development has reached out to say how we can help. That is exactly the kind of response they needed so he thanks them all for that. Right now, there are five warming stations that are available during the day and the Missions lobby available through the night, open 24/7, 365 days a year. There is no need to call before coming to the cold weather station, just show up. Matter of fact, it's best just to show up and if you see someone that is needing help, make sure they are with you if you do assist and help to call because they would need to talk with them as well. As reported this weekend, the fire stations are not available this winter and covid-19 may constrain overnight housing in the shelters but there is sufficient warming space and it's available to ensure that anyone and everyone can get inside. Historically, these numbers have been rare. Baldwin states this is his eighth winter at the Muncie Mission. Even at times when the temperature drops below zero across the City there may be 2 – 5 people but those 2 – 5 people need to be served and Baldwin expresses they want to be there for them. Certainly, we do have cold weather right now and mentions he has been watching the weather conditions and forecast, blizzard conditions, long lasting arctic temperatures can heighten the demand for additional




warming space. However, at present, he expresses they are confident that they can accommodate those in need given the current forecast. The Directors of the four shelters in Muncie being Christian Ministries, A Better Way, The YWCA and the Muncie Mission are meeting regularly on multiple times through the week. Many times, they are communicating through the weekends and their phones are never off. They are always within reach of each other and meeting regularly to also coordinate their services and to support one another as needed. Baldwin wants to speak of his colleagues of these agencies that they are compassionate and very competent individuals who advocate locally, regionally and federally on behalf of the community they serve. In fact, the level of cooperation in the past year between the Muncie homeless providers is as good as he has ever seen in our community and in many other communities that he has visited. They are working together towards a strategic planning to address the remaining gaps in our community. He expresses they have met with service providers and coalitions around the country from Florida to Portland. He, personally, has visited over 40 shelters in our region and that they are meeting with local regional groups throughout the state to assess which model will best serve our community. They are seeking funding and working with a facilitator to continue to facilitate and create a coordinated strategic action plan for homelessness in Muncie. He wanted to acknowledge the competent work of WaTasha at the YWCA, Teresa at A Better Way and Andrea at Christian Ministries as people who care deeply and they are working to provide for those who are most vulnerable. He just wanted to assure the community that they are working on it.

Audie Barber refers to a few year back when he received a judgment against a gentlemen that was on the Council. It has been two years but nobody has done anything about reclaiming the money from this man that was illegally on the City Council. He would still like to see something done about that. Also, he noticed the newspaper last week reported that a former businessman in Muncie has been ordered to pay back \$245,000 to the City of Muncie Sanitation District and Barber would like to see the Council keep an eye on that to make sure that money comes back to the City. He states \$4,000 or \$5,000 is not a whole lot of money but \$245,000 is quite a bit of money so he would just like to see them keep an eye on stuff like that.

**ADJOURNED:**

A motion was made by Davis and seconded by Robinson to Adjourn. A vote by acclamation showed 9 yeas and 0 nays. ADJOURNED.

  
\_\_\_\_\_  
Jeff Robinson, President of the  
Muncie Common Council  
\_\_\_\_\_  
Belinda Munson, Muncie City Clerk  
of the Muncie Common Council